

Amendments to the Claims:

1. (currently amended) A method for automatic firmware image recovery, comprising:

 determining that a firmware image for server management operational code in a baseboard management controller (BMC) in a recipient system needs to be replaced;

 sending a message over a network by the recipient system, wherein the message requests a compatible replacement firmware image;

 negotiating with a donor system based on a received acknowledgement that the donor system has a compatible image, using a predetermined policy to select the donor system from a set of at least one donor system having a compatible image, wherein at least one donor server of the set of at least one donor system sends an acknowledgement to the recipient system in response to the sent message, and negotiating further comprises:

receiving a message request by at least one donor system in the network;

determining whether the donor system has a compatible image; and

when the donor system has a compatible image, sending an acknowledgement and offer to the recipient system;

 uploading a the compatible image sent by the donor system to the recipient system; and

 updating the recipient system server management firmware with the uploaded compatible image.

2. (canceled)

3. (original) The method as recited in claim 1, wherein the network is selected from the group consisting of a wired and unwired network.

4. (original) The method as recited in claim 1, wherein the message is sent via an out-of-band (OOB) connection.

5. (currently amended) The method as recited in claim 4, wherein a the baseboard management controller residing on the recipient system is capable of communicating to donor systems via at least one communication means, wherein the communication means is selected from a group consisting of a local area network (LAN), a wireless access point, a wired inter-chassis management bus (ICMB), and a Bluetooth® protocol wireless network.

6. (original) The method as recited in claim 1, wherein the donor system comprises a management console.

7. (original) The method as recited in claim 1, wherein the donor system comprises a peer server in the network.

8. (currently amended) A machine accessible medium containing instructions that, when executed, cause a machine to:

determine that a firmware image for server management operational code in a baseboard management controller (BMC) in a recipient system needs to be replaced;

send a message over a network, wherein the message requests a compatible replacement firmware image;

negotiate with a donor system based on a received acknowledgement that the donor system has a compatible image, using a predetermined policy to select the donor system from a set of at least one donor system having a compatible image, wherein at least one donor system of the set of at least one donor system sends an acknowledgement to the recipient system in response to the sent message, wherein negotiating with a donor system further comprises instructions to:

receive an acknowledgement from the donor system in response to the message request sent over the network, where an acknowledgement is sent by each donor system having a compatible image;

when more than one acknowledgement is received by the recipient system, select a donor system from the set of at least one donor system sending an acknowledgement, based on the predetermined policy, and when only one acknowledgement is received, select the one donor system sending the acknowledgement; and

receive a compatible image for server management from the selected donor system;

upload a the compatible image sent by the donor system to the recipient system; and

update the recipient system server management firmware with the uploaded compatible image.

9. (original) The machine accessible medium as recited in claim 8, wherein the network is selected from a group consisting of a wired and unwired network.

10. (original) The machine accessible medium as recited in claim 8, wherein the message is sent via an out-of-band (OOB) connection.

11. (original) The machine accessible medium as recited in claim 10, wherein a baseboard management controller residing on the recipient system is capable of communicating to donor systems via at least one communication means, wherein the communication means is selected from a group consisting of a local area network (LAN), a wireless access point, a wired inter-chassis management bus (ICMB), and a Bluetooth® protocol wireless network.

12. (original) The machine accessible medium as recited in claim 8, wherein the donor system comprises a management console.

13. (original) The machine accessible medium as recited in claim 8, wherein the donor system comprises a peer server in the network.

14. (currently amended) A machine accessible medium containing instructions that, when executed, cause a machine to:

receive a message over a network, by a donor system, the message sent by a recipient system requesting an updated server management firmware image, wherein the message is sent to at least one donor system on the network;

determine by ~~a~~ the donor system whether a compatible image to the requested updated firmware image is available to fulfill the request;

when the donor system has a compatible image, negotiate with the recipient system, the recipient system to use a predetermined policy to select the donor system from at least one donor system having a compatible image, wherein negotiating further comprises instructions to send an acknowledgement and offer to the recipient system when the donor system has a compatible server management image; and

when the donor system is selected from the at least one donor system having a compatible image, by the recipient system, upload the compatible server management image to the recipient system.

15. (currently amended) The machine accessible medium as recited in claim 14, wherein negotiating comprises instructions that cause the machine to:

~~send an acknowledgement offer to the recipient system; and~~
receive an acceptance acknowledgement for the offer.

16. (currently amended) A system for automatic firmware image update, comprising:

a recipient server having at least one processor;

a baseboard management controller (BMC) operatively coupled to the at least one processor, wherein the BMC comprises a BMC processor, a memory operatively coupled to the BMC processor, a communication interface enabling at least one of wireless network, chassis

management bus and local area network communication, wherein the BMC is configured to execute operational firmware code; and

executable code loaded in memory accessible to the BMC processor that when executed enables the BMC to:

determine whether operational firmware requires update;

send a request for an updated image via a network communication interface to a at least one donor server in the network;

negotiate with the at least one donor server for a compatible image, based on a received acknowledgement and offer that the at least one donor system has a compatible image, where the BMC is configured to use a predetermined policy to select a donor system from a set of the at least one donor system having a compatible image and returning an acknowledgement and offer in response to the request for an updated image;

receive an update compatible image from the selected donor system using a
~~predetermined policy to select the donor server from a set of at least one donor server having a~~
compatible image; and

load an the updated compatible operational firmware image in non-volatile memory on the BMC.

17. (original) The system as recited in claim 16, wherein the request is sent via an out-of-band (OOB) connection.

18. (original) The system as recited in claim 16, wherein the donor system comprises a management console.

19. (original) The system as recited in claim 16, wherein the donor system comprises a peer server in the network.

20. (currently amended) A method for providing a firmware image, comprising:
receiving a message over a network by a donor system on the network, the message sent by a recipient system requesting an updated firmware operational server management image, where the message is sent to at least one donor system on the network;

determining by a the donor system whether a compatible image is available to fulfill the request;

when the donor system has a compatible image, negotiating with the recipient system using which uses a predetermined policy to select the donor system from the at least one donor system having a compatible image, wherein negotiating further comprises sending an acknowledgement and offer to the recipient system when the donor system has a compatible operational server management image, and receiving an acceptance acknowledgement for the offer; and

when the donor system is selected from the at least one donor system having a compatible image, uploading the compatible operational server management image to the recipient system.

21. (currently amended) The method as recited in claim 20, wherein negotiating further comprises:

~~sending an acknowledgement offer to the recipient system; and~~

receiving an acceptance acknowledgement for the offer.

22. (original) The method as recited in claim 20, wherein the network is selected from the group consisting of a wired and unwired network.

23. (original) The method as recited in claim 20, wherein the message is sent via an out-of-band (OOB) connection.

24. (original) The method as recited in claim 20, wherein the donor system comprises a management console.

25. (original) The method as recited in claim 20, wherein the donor system comprises a peer server in the network.